

## 特許協力条約

P C T

特許性に関する国際予備審査報告（特許協力条約第二章）

(法第12条、法施行規則第56条)  
〔P C T 3 6条及びP C T 規則70〕

REC'D 02 SEP 2004

WIPO

P C T

出願人又は代理人 の書類記号 K 0 3 0 0 8 P C T	今後の手続きについては、様式P C T / I P E A / 4 1 6を参照すること。			
国際出願番号 P C T / J P 0 3 / 1 0 9 2 7	国際出願日 (日.月.年)	2 8 . 0 8 . 0 3	優先日 (日.月.年)	3 0 . 0 8 . 0 2
国際特許分類 (I P C) Int. C 17 G 0 2 B 5 / 0 2 , F 2 1 V 8 / 0 0 , F 2 1 S 1 / 0 0 , F 2 1 Y 1 0 3 : 0 0 , F 2 1 V 5 / 0 2				
出願人（氏名又は名称） 株式会社 きもと				

1. この報告書は、P C T 3 5条に基づきこの国際予備審査機関で作成された国際予備審査報告である。  
法施行規則第57条（P C T 3 6条）の規定に従い送付する。

2. この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。

3. この報告には次の附属物件も添付されている。  
 附属書類は全部で \_\_\_\_\_ ページである。
 

- 补正されて、この報告の基礎とされた及び／又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範囲及び／又は図面の用紙（P C T 規則70.16及び実施細則第60 7号参照）
- 第I欄4. 及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとの国際予備審査機関が認定した差替え用紙

b  電子媒体は全部で \_\_\_\_\_ (電子媒体の種類、数を示す)。  
配列表に関する補充欄に示すように、コンピュータ読み取り可能な形式による配列表又は配列表に関するデータを含む。(実施細則第80 2号参照)

4. この国際予備審査報告は、次の内容を含む。

- 第I欄 国際予備審査報告の基礎
- 第II欄 優先権
- 第III欄 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
- 第IV欄 発明の単一性の欠如
- 第V欄 P C T 3 5条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- 第VI欄 ある種の引用文献
- 第VII欄 国際出願の不備
- 第VIII欄 国際出願に対する意見

国際予備審査の請求書を受理した日 2 9 . 0 3 . 2 0 0 4	国際予備審査報告を作成した日 1 1 . 0 8 . 2 0 0 4		
名称及びあて先 日本国特許庁 (I P E A / J P) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員）	2 V	9 1 2 5
	森 口 良 子		
	電話番号 0 3 - 3 5 8 1 - 1 1 0 1 内線 3 2 7 1		

第 I 條 報告の基礎

<sup>1</sup> この国際予備審査報告は、下記に示す場合を除くほか、国際出願の言語を基礎とした。

この報告は、**語による翻訳文を基礎とした。**  
それは、次の目的で提出された翻訳文の言語である。  
 PCT規則12.3及び23.1(b)にいう国際調査  
 PCT規則12.4にいう国際公開  
 PCT規則55.2又は55.3にいう国際予備審査

2. この報告は下記の出願書類を基礎とした。(法第6条(PCT14条)の規定に基づく命令に応答するために提出され  
た前款を用紙へこの報告において「出願時」とし、この報告に添付していない。)

\* 4. に該当する場合、その用紙に“*superseded*”と記入されることがある。

第V欄 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

## 1. 見解

新規性 (N)	請求の範囲 請求の範囲	4-12 1-3	有 無
進歩性 (I S)	請求の範囲 請求の範囲	4-8, 11 1-3, 9, 10, 12	有 無
産業上の利用可能性 (I A)	請求の範囲 請求の範囲	1-12	有 無

## 2. 文献及び説明 (PCT規則70.7)

文献1 : US 2001/0046134 A1 (DAINIPPON PRINTING CO LTD)  
2001. 11. 29 & JP 2001-311809 A  
文献2 : JP 6-289390 A (シャープ株式会社)  
1994. 10. 18

請求の範囲1-3に係る発明は、国際調査報告で引用された文献1より新規性を有しない。  
文献1、特に【0021】～【0025】及び図面には、請求の範囲1-3に係る発明とほぼ同様の構成が記載されている。

請求の範囲9, 10, 12に係る発明は、国際調査報告で引用された文献1及び文献2より進歩性を有しない。

文献2には、拡散シート及び光指向体（光制御フィルムに相当）を備えたエッジライド型のバックライト装置及び、光指向体の基準面に対する傾きと光源との関係（光源に近くにつれて傾斜が小さくなる）が記載されている。したがって上記文献1及び文献2に記載の説明を組み合わせて請求の範囲9, 10, 12に係る発明を導くことは当業者にとって容易である。

請求の範囲4-8, 11に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

Translation

## PATENT COOPERATION TREATY

**PCT**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>K03008PCT</b>	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. <b>PCT/JP2003/010927</b>	International filing date (day/month/year) <b>28 August 2003 (28.08.2003)</b>	Priority date (day/month/year) <b>30 August 2002 (30.08.2002)</b>	
International Patent Classification (IPC) or national classification and IPC <b>G02B 5/02, F21V 8/00, F21S 1/00, F21Y 103:00, F21V5/02</b>			
Applicant <b>KIMOTO CO., LTD.</b>			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a.  (*sent to the applicant and to the International Bureau*) a total of \_\_\_\_\_ sheets, as follows:

- sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b.  (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- Box No. I Basis of the report
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

Date of submission of the demand <b>29 March 2004 (29.03.2004)</b>	Date of completion of this report <b>11 August 2004 (11.08.2004)</b>
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/010927

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:

- international search (under Rules 12.3 and 23.1(b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

The international application as originally filed/furnished

the description:  
pages \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:  
pages \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:  
pages \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (specify): \_\_\_\_\_
- any table(s) related to sequence listing (specify): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (specify): \_\_\_\_\_
- any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/10927

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

## Novelty (N)

Claims 4-12 YES

Claims 1-3 NO

## Inventive step (IS)

Claims 4-8, 11 YES

Claims 1-3, 9, 10, 12 NO

## Industrial applicability (IA)

Claims 1-12 YES

Claims NO

**2. Citations and explanations (Rule 70.7)**

Document 1: US, 2001/0046134, A1 (DAINIPPON PRINTING CO., LTD.), 29 November 2001  
 & JP, 2001-311809, A

Document 2: JP, 6-289390, A (SHARP CORPORATION), 18 October 1994

The subject matter of claims 1-3 is not novel on account of document 1 cited in the ISR.

Document 1, particularly at [0021]-[0025] and the drawings, describes essentially the same constitution as the inventions of claims 1-3.

The subject matter of claims 9, 10, and 12 does not involve an inventive step on account of documents 1 and 2 cited in the ISR.

Document 2 describes an edge-light-type backlight device equipped with a diffusion sheet and light orientation body (equivalent to a light control film) and describes the relationship between the inclination to the reference face of the light orientation body and the light source (the inclination decreases approaching the light source). Therefore combining the inventions described in the aforesaid documents 1 and 2 and arriving at the inventions of claims 9, 10, and 12 would be easy for a person skilled in the art.

The subject matter of claims 4-8 and 11 is not described in any of the documents cited in the ISR and is non-obvious to a person skilled in the art.